

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

R.G. JOHNSON COMPANY, INC.,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of Social Security, et al.,**

Defendants.

Civil Action 97-00003 (HHK)

JUDGMENT

For the reasons set forth in the Memorandum Opinion issued on this date, the court grants judgment for plaintiff. Accordingly, it is this 1st day of October, 2003, hereby

ORDERED AND ADJUDGED that defendant Commissioner is enjoined from assigning beneficiaries to plaintiff on the basis of the retirees' previous employment with plaintiff's predecessor, The R.G. Johnson Company; and that Commissioner must withdraw the assignment of beneficiaries under the Coal Act already made to plaintiff.

Henry H. Kennedy, Jr.
United States District Judge